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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/537,068 03/28/2000		Ronald P. Doyle	RSW9-2000-0002-US1 5371	
7590 11/24/2004			EXAMINER	
Jeanine S Ray-Yarletts			WRIGHT, NORMAN M	
IBM Corporati	on 972/B656			
PO Box 12195		•	ART UNIT	PAPER NUMBER
Research Triangle Park, NC 27709			2134	

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Notification of Non-Compliance

Application No. Applicant(s)		
09/537,068	DOYLE, RONALD P.	
Examiner	Art Unit	
Norman M. Wright	2134	

Nouncation of Non-Compliance		03/03/,000	,	· · · · · · · · · · · · · · · · · · ·			
	With 37 CFR 1.192(c)	Examiner	Art Unit				
		Norman M. Wright	2134				
	The MAILING DATE of this communication app	pears on the cover sheet with the	correspondence a	address			
The Appeal Brief filed on is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.							
To avoid dismissal of the appeal, applicant must file IN TRIPLICATE a complete new brief in compliance with 37 CFR 1.192(c) within the longest of any of the following three <b>TIME PERIODS</b> : (1) <b>ONE MONTH or THIRTY DAYS</b> from the mailing date of this Notification, whichever is longer; (2) <b>TWO MONTHS</b> from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. <b>EXTENSIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.</b>							
1. 🔲	The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.						
2	The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).						
3. 🗌	At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).						
4. 🗌	The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).						
5. 🗌	The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).						
6. 🗌	A single ground of rejection has been applied to two or more claims in this application, and						
(a)	the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.						
(b)	the brief includes the statement required b together, yet does not present arguments it						
7. 🔲	The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).						
8. 🗌	The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).						
9. 💹	Other (including any explanation in support of the above items):						
	See attacked						
		•					
		6	)-\				
		Norm	nan M. Wright				

Primary Examiner Art Unit: 213

#### **DETAILED ACTION**

### Response to Amendment

1. The reply filed on 6/21/04 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): a complete list of all the claims is required. Here applicant only provided claims 1-24 as outstanding; then, he refers to claims 25-27 in the arguments. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

#### Conclusion

2.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Norman Wright whose telephone number is (751) 272-3844. The examiner can normally be reached on Mondays - Thursdays from 9am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse, can be reached on (571) 272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 2134

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NORMANM.WRIGHT PRIMARY EXAMINER

A22134